News of the Intermountain Region

IRST TESTIMONY IN WALKER TRIAL

Panel Is Completed at Friday's Session and Witnesses Put on Stand.

STATE'S STATEMENT IS DELIVERED TO JURY

Judge Instructs Tribunal and Mentions Seats for Theater Party of Twelve.

OGDEN, Dec. 6 .- With despatch that irprised those who had been most sanor the murder of Dr. Earl S. Beers were clock to allow sufficient time for all mbers of the vanire to arrive. Be-



night, a farmer, answered all quessatisfactorily to counsel on both and was sworn as a juror. When ng, a teamster, and Albert E. Becker,

in which Fred Walker is charged unlawfully taking the life of Dr.

Statement by Halverson.

Statement by Halverson.

District Attorney George Haiverson then began his opening statement to the Jury. He began to outline the theories of the prosecution in a slow, deliberate, conversational tone. When he reached the details of the fight, in which both Walker and Lawrence are charged with having taken part. Halverson declared the State would prove that Beers was heard to exclaim to Walker. 'Oh, my God!' Don't kill me, "have mercy" and frequently to repeat 'oh." Witnesses, he averred, would testify that these cries were "uttered in the most frightful, most pitful manner that it is possible for human tongue." At this description, Frank Beers, father of the dead man, broke down, and tests were seen coursing down and tears were seen coursing down

his cheeks.

The District Attorney covered the case briefly from its inception, which, he desired, was when Walker and Lawrence alled at the Colonial reoming-house of this city on the evening before the tra-sedy and asked the landlady. Mrs. Kate Gasporg, if Dr. Beers were in his room. Mr. Halverson declared the State would show by physicians who were called to attend the wounded man that he had paralysis of the laft side, caused from a broken blood vessel on the right side of the man's brain.

he man's brain. He said it would be shown that Dr. Beers was an active, athletic man, and that it was impossible for bim to have been beaten in this manner by Walker liane. The District Attorney addressed the jury about three-quarters of an hour.
Then he had concluded, A. G. Horn, of pursel for the defense, interposed an obeithon and noted an exception to the aderms ruling of the court.

Calls First Witness.

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District Attorney Halverson called, as the first witness Julius A. Smith, an architect. The witness teathfied that he had followed this line of business for eighteen years, its identified a diagram of the store of the Electric Supply and Fixture company in this city, and described each door, window and other opening to the building. He declared that he had visited the place for the purpose of making the diagram shortly after the homicide last September. Counsel for the defense had no questions for the witness, and he was allowed to stand aside. The diagram was offered in evidence by the District Attorney and marked exhibit "A."

Captain Charles C. Brown, of the Ogden police force was next called. He
old of Walker and Lawrence coming to
the police station the day before the homecide occurred and delivering to him a
etter from former Chief of Police Roderick McKenzie of Sail Lake City, 14
which Detective Dick Shannon of Sait
Lake, who was supposed to be in Ogden,
was asked to intervene in Walker's behalf to prevent Dr. Beers from following
birs, Walker to Los Angeles, where she
had been sent by Walker to hreak up the
alleged illicit connection with Beers. As
Detective Shannon had returned to Sait
Lake, Captain Brown said he promised to
use his efforts to prevent Beers from going to Los Angeles and, after seeing the
doctor the next day, would make a report to the defendant Walker.

Point for Defense.

Point for Defense.

District Attorney, most of which were sustained by the court. As Halverson rose hurriedly to interpose an objection, the heavy easel upon which the diagram of the store was placed, slipped from its pegs and skidded to one side with a noise that startled every one in the courtroom. Judge Howell humorously remarked: "Let it stay there unless the District Attorney makes another objection."

tion."

The testimony of Mrs. Kate Gasperg, who is the proprietress of the Colonial rooming-house, at which Dr. Beers had his living room and office, was practically the same as she gave at the pre-liminary hearing. She told of the visit of Lawrence and Walker to the house on the eve of the homicide. She said they asked for Dr. Beers and were directed to the room of Fert Don in the same house, and afterward to Beers's room, number 10, on the third floor.

Remonstrates With Pair.

Remonstrates With Pair.

After seeing the light turned on in the room, she declared she heard the dresser drawers opened and when the two defendants came out she remonstrated with them for going into the room and opening the drawers in the absence of the occupant. She said Walker denied that the drawers had been opened and he seemed slightly excited at the time of the visit. On the cross-examination, in reply to a question put by Hutchinson, she said she had never heard Dr. Beers spoken of as Lopez. Mrs. Earl S. Beers also occupied the room with her husband, she said, but had gone to Sait Lake several days before the visit.

When the hour for adjournment arrived, Mrs. Gasperg was still on the winness stand. The defense will resume its cross-examination. Saturday morning, Judge Howell admonished the jury not to discuss the case with any one, and announced that tickets had been provided to a local theater for the jury that evening, who will attend in the custody of an officer. Remonstrates With Pair.

officer.

The courtroom was comfortably filled during Friday's session. A large part of the audience was composed of women, some of whom are summoned as witnesses, including Mrs. Bertha Hull and her daughter, Edith Hull and Miss Stone, a stenographer employed by the electric supply company. Mrs. Earl S. Beers attended the morning session, remaining about a half-hour. She did not return in the afternoon.

Personnel of Jury.

Personnel of Jury.

It was necessary to examine only seven talesmen of the venire of twenty-five which was summoned Thursday night by the Sheriff and his deputies, before the three remaining jurors were selected.

The personnel of the jury now hearing the case follows S. H. Brown, merchant Joseph E. Storey, bookkteeper; Samuel Siler, laborer, Bishop L. J. Taylor, Charles G. Chrissman, real estate dealer; J. J. Hutchins, farmer; Daniel Farnlund, grocer, William Wheeler, Jr., farmer; Elius A. Bowen, stockman; William Knight, farmer; A. D. Young, teamster, and Albert E. Bocker, brewer. Every man on the panel is married, and most have families. Both sides seemed content with the selections and believe that a fair and impartial trial will be given the defendant.

Just how long the trial will last is a

Just how long the trial will last is a Just how long the trial will last is a matter of conjecture at this time. Those connected with the case are satisfied that it will consume the whole of next week and may run into the week following.

Judge Howell seems determined that the case will not be allowed to drag. His rulings on the questions which have arisen thus far have been prompt and decisive.

POLICE OFFICER THREATENS TO CHASTISE OFFENDER

Special to The Tribune.

OGDEN, Dec. 6.—Patroiman Oren Hadlock and John Smith, the owner of a small clothing store of this city, had a lively mix-up at the police station about 2 o'clock Friday afternoon. The fracas grew out of the arrest of Smith for falling to pay heanse as required by the city. License Collector Wardhaw arrested him at his store and, as Smith resisted, the officer was obliged to put the "nippers" on him. Before Wardhaw left the store with his prisoner. D. Rosenthal, a partner of Smith, interfered, and Patroiman Hadlock, who arrived at this time, promptly added him to the collection.

When the party arrived at the police station Smith applied an epithet to Hadlock, who limmediately made a pass at the young man. Several blows were exchanged before the combatants were separated.

changed believed the separated. In the Police court Thursday morning John Brown and Arthur Parks were each for of \$10 by Judge Murphy for given a fine of \$10 by exceeding the speed limit with automo-biles in the city limits.

PACE OF TIME FINALLY AIDS SORROWING SWAIN

Special to The Tribune.

OGDEN, Dec. 6 —Johannes Uoorlander and Atma Olfo, both of this city, were united in the bends of wedlock by Judge Howell, Thursday, Thereto hangs a tale. On the eve of Thanksgiving the couple appeared at the County Clerk's office and applied for a marriage Reense. In the customary questions asked, it developed that the young man had just twe days to wait before he could attain the enviable age of 21. The Reense was refused. Out of consolation the Clerk suggested that the young man have a guardian appointed and secure his permission to the marriage. This did not meet with his approval, however, and the pair left the building in a disappointed frame of mind. The young man reached maturity Thursday, and Friday promptly appeared, with his blushing bride-to-be, and took the formal oath, sought out Judge Howell, and the 'knot was tled.' Special to The Tribune.

REPORTS CONTAGION IN OGDEN SCHOOLS

Special to The Tribune.

OGDEN, Dec. 6.—At a meeting of the Board of Education tonight, the superintendent reported eighty-three cases of contagious diseases in the schools, and that the attendance was affected greatly in consequence. The treasurer reported cash on hand, 3412,985,34. Principal Cold of the high school suggested that a night school be opened in conpertion with his school. The matter was referred to the teachers committee. It was decided to make the Christmas heliday vacation begin December 31 and end January 4. Special to The Tribune.

JEALOUS WOMAN TRIES TO COMMIT SUICIDE

scial to The Tribune.

OGDEN. Dec. 8.—The police department learned Friday of an attempted suitcide by a Mrs. Hawkins, Thursday evening. The woman lives on Eleventh

street.

The cause of the attempted self-destruction is said to have been a fit of fealousy. In which the woman imagined her husband was showering too much attention upon one of her neighbors. Mrs. thees. Mrs. Hawkins took an overdose of peison, but prompt medical attention prevented it from having a fatal effect.

OGDEN OFFICIALS INSPECT SALT LAKE O. S. L. VIADUCT

City Engineer Parker. City Aftorney Bagley and several members of the City Council of Ogden were in Sait Lake Friday, on a tour of inspection. The gentlemen desired to inspect the visidate of the Short Line on North Temple street, as they contemplate having a similar one built in Ogden During the afternoon they paid a friendly visit to the offices of City Recorder Moreton and City Engineer Kelsey.

JURY COMPLETE FOR TRIAL OF PETTIBONE

Much Better Progress Than in Haywood Case: Orchard to Take the Stand.

Special to The Tribune BOISE, Ida., Dec. 6 .- The jury which will try the case of George A. Pettibone for complicity in the murder of former Governor Frank A. Steunenberg was completed and sworn in this after The jury is as follows:

J. H. Frazier, 25, student; E. L. Evans, 38, farmer; A. A. Tillotson, 29, merchant; W. A. Palmer, 40, liveryman; William Stahl, 69, prospector; Newton Carper, 36, carpenter; Joseph Singer, 48, placer miner; A. C. Boot, 52, printer; Charles Wilmot, 45, farmer; Arthur Estes, 38, farmer; C. R. Smead, 29, liveryman; J. H. Garrecht, 40.

butcher. Boot is an active member of the Boise Typographical union. Both Clarence Darrow for the defense and James H. Hawley for the prosecu-tion expressed satisfaction with the selected.

The defense used but seven per-emptory challenges and the State nine, each side being allowed ten by law. Six days were consumed in impan-elling the jury and eighty talesmen were examined. In the Haywood trial it required more than three weeks to obtain a jury and 320 were examined The opening statement for the State will be made Monday morning by J. H. Hawley and the taking of evidence will begin Monday afternoon. Harry Orchard will probably take the stand

BROTHERS SUSTAIN BAD INJURIES IN ACCIDENT

Special to The Tribune.

AMERICAN FORK, Dec. 6.—Peter and John Adamson, brothers, are at their homes in this place, each with a broken leg, and the former with his right arm broken in addition, as the result of an accident between American Fork and Cedar valley, Friday afternoon.

The two men were returning from Central Process.

Cedar valley, Friday aftermoon.

The two men were returning from Cedar valley with a team and wagon. In company with several friends. As they came down the steep slope toward the Jordan river near here, Peter Affamson, who was driving reached forward to set the brake on the wagon. His weight thrown against one of the cover bows of the wagon broke the support, and he pitched headlong under the wagon, sustaining a fracture of his right arm near the shoulder and a fracture of his right leg near the ankle. The team became frightened, and plunged down the steep grade. John Adamson attempted to jump from the wagon, and in doing so broke his left leg.

AGED PATIENT DIES AT STATE MENTAL ASYLUM

Special to The Tribune

Special to The Tribune.

PROVO, Dec. 6.—John Dart, 55 years old, a patient at the State Mental hospital, died at that institution Wednesday, of alcohol dementia. He was committed from Weber country, November 17, 1902. The deceased had no known relatives in this country. The remains will be shipped to the University of Utah. Charles Simons 20 years of age, whose home is in Payson, was committed to the State Mental hospital yesterday by Country Commissioner J. W. Dunn and Drs. Aird and Westwood. Aird and Westwood

Zenos Covington, about 29 years of age, was locked up in the county jall today on a charge of insanity. He will be ex-amined by Commissioner Dunn and Coun-Physician Westwarrow morrow morning.

DECLINES APPOINTMENT AS BISHOP OF WYOMING

Special to The Tribune.

LARAMIE, Dec. 6.—Dr. Frederick Focke Reese of Nashville, Tenn., giving his wife's health as the cause, has notified Dean Boad of this city that he will not accept the appointment as bishop of the new missionary district of Wyoming, which was created by the recent Episcopal convention at Richmond The affairs of the district will be administered for the present by Bishop J. B. Funston of Boise. Laramie is the see city of the district and will be the home of the bishop. The house of bishops is expected to meet

APPROVED SELECTIONS OF PUBLIC LANDS

Special to The Tribune.

WASHINGTON, Dec. 6.—The government has approved selections of public lands as follows:
Idaho—School lands indemnity, list No. 1, 6387 acres; list No. 3, Boise district, 22,490 acres; list No. 8, Lander district, 280 acres; list No. 9, Buffalo district, 400 acres; list No. 10, Chevenne district, 120 acres.

Account grant to Deaf, Dumb and with the control of the control Account grant to Deaf, Dumb and Blind asvlum, 337 acres, Douglas dis-trict; account Agricultural college grant, 960 acres, Douglas district.

Wrist Is Dislocated.

AMERICAN FORK, Dec. 6.—Angus Cunningham, it years old, son of Mrs. Zina Cunningham of this place, sustained a dislocation of his right wrist Friday afternoon, while attempting curry one of the horses belonging to his mother. The horse stepped on the boy's foot and, in attempting to release the member, his hand was caught between the side of the stall and the horse.

Wyoming Banks Strong.

LARAMIE, Dec. 6.—The statements of the First National and Albany Countv banks, the only two banks in the county, issued Friday afternoon show on hand more than \$130,000 in cash, after having met the largest Union Pacific payroll in several years, paid \$15,000 of county indebtedness and met every demand in eash.

Woodmen Elect Officers. Special to The Tribune

say, on a tour of inspection. The gentlemen desired to inspect the visitue of the flort Line on North Temple street, as how contemplate having a similar one milt in Ordien. During the afficience and the World, June camp No. 818, met and selected officers for the coming year as follows, Friday: Past council commander, of tits Recorder Moreton and City Engineer Kelsey.

Tribune Want Ads.

Bell phone 6201. Ind. phone 360-348.

Useful Christmas Presents Consist of Something to Wear.

You will find Baby Hoods, Toques and Tams; Ladies' Hats and Toques; Velvet Hats, Ribbons, etc.,

BANKS, 116 So. Main **Greatly Underpriced**

ADAMS WILL NOT FIGHT IF TYLER CASE ENDS

Today.

Will Face Colorado Charge Willingly if Idaho Case Is Dismissed.

Special to The Tribune.

WALLACE, Idn., Dec. 6 .- Sheriff Fitzgerald of Telluride, Colo, was assured by attorneys for the defense tenight that if the care against Steve Adams, charging him with murder of Fred Tyler, and for which he has twice been on trial for his life, is dismissed, there will be no efformade to prevent Adams being taken back to Colorado to answer to the charge of murder of Arthur Collins. Fitzgerald ar-rived at Rathdrum tonight. He had in-tended starting for Colorado with Adams rived at Rathdrum tonight. He had intended starting for Colorado with Adams tonight, but a message from Sandpoint, where Judge Woods is holding court prevented. The court has not decided on the legality of his dismissing the case without going to Bathdrum, and will decide the matter in the morning.

Fitzgerald called tonight on Mrs Adams, who has been ill for several days, and assured her that her husband would be treated with consideration on the trip and that she would be shown every courtesy. Attorneys for the defense say, while they will not argue the matter before the court, they feel confident that Judge Woods will not dismiss the Tyler charge until the regular term of court at Rathdrum, six months hence.

Frosceuting Attorney Hansen and Sheriff Balley of Shoshone county have gone to Sandpoint, presumably to get an order of court dismissing the case.

MILLARD COUNTY MAN ARRESTED AT SAN DIEGO

Special to The Tribune. Special to The Tribune.

SAN DIEGO, Dec. 5.—George Y. Turner of Millard county, Utah, was arrested here today by Sheriff J. S. Black of San Diego county on the charge of alleged selling of Ilquor to Utah Indians.

Whisky sold by Turner, says Black, resulted in a big row, and the deaths of two or three Indians. Turner escaped mexican line, south from San Diego, but was captured when he returned to visit this city to see his father and sister, who had been followed from Tia Juana. Turner's father fas thus the means of his being located at the Merchants hotel.

PREPARING TO CONSTRUCT GREEN RIVER PROJECT

Special to The Tribune. GREEN RIVER, Dec. 6 - R. GREEN RIVER, Dec. 6 R. F. Faris, a construction engineer of Boise, is here this week completing plans for the improvement of the distributing system of the Mutual Irrigation company. The contract for this important work will probably be let this week to the Boise Construction company. The plans call for the expenditure of about \$125,000. Work will be started soon and will be pushed to an early completion. house of bishops is expected to meet again in the spring and select a new

APPLICATIONS MADE TO STATE PARDON BOARD

Faroie—Dan Reese, Sait Lake, forgery, May 4, 1907, three venus May 4, 1997, three years, Commutation—Sidney Payne, Salt Lake, forgery, November 8, 1998, two years; Frank Morrie, Salt Lake, assault and bat-tery, January 26, 1997, ten months in the State prison.

FALSE ARREST DAMAGE CASE IS UP FOR HEARING

Judge Lewis and a jury are hearing the \$10,000 false arrest and imprisonment case of Julia Murphy against Robert L. Booth. Mrs. Murphy alleges that Hooth caused her arrest upon a false charge that she had attempted to obtain money from him by false pretenses. Upon a hearing she was discharged, after which she filed her suit.

Save Money by getting your Xmas furs at Me-heav's fur sale today. Knutsford hotel.

WHEN IN OGDEN Go to the Vienna Cafe. Catch your own trout in our private equarium and we will cook them.
Finest culsine. Latest delicacles.
Orchestra Every Afternoon and Evening. \$1.00 A WEEK

\$4.00 A MONTH

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To know that now and until the end of the holidays we will sell all Furs, Muffs and ladies' Suits one-third off regular price.

This should mean a great deal to you, as the holidays are only a few weeks off. YOUR CREDIT IS GOOD HERE. A small deposit and the balance at \$1.00 a week or \$4.00 a month, will dress the family for the occasion, and it will keep you warm for the balance of the winter.

Cash buyers will find a decided advantage, too, by investigating our prices. All make haste and take advantage of this great reduction.

Remember, \$1.00 a Week or \$4.00 a Month Will Dress You Here.

No reference required. No questions asked.

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Why Pay Cash

THE OLD RELIABLE

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CUPID CAPITULATES AFTER MANY BATTLES

Seven Marital Bonds Are Severed for Long-Suffering Better Halves.

Seven unhappy wives were freed from gailing matrimonial fetters at the mattnee held in Judge Morse's division of the Third District court Friday afternoon Mrs. Minnie Sullivan told how her husband, Morris Sullivan, refused to support her, and was granted a divorce. Emily Solomon obtained a divorce by proving that she and her husband. Ben D. Solomon, had only live I together one week, though they had been married many months.

many months.

Marinda Loosli and her witnesses told of the brutal treatment she received at the hands of her husband, Ernest Loosli, and was given a release from matrimon-Many Cantwell proved to the court that she and her husband, Lawrence Cantwell, had been separated so long she didn't know where he was and that she was

supporting berself. She was granted a dorree. Clara T. Turner was given a divorce from John Turner on the ground of non-Edna D. Kennedy was given a decree

Edna D. Kennedy was given a decree which separated her from A. Ambrose Kennedy on the grounds that he would not support her.

Arberella Workman convinced the court that her husband, John Workman, mistreated her and a decree was granted. Hober H. Peterson was given a little advice by the court because he had failed to taithfully pay the alimony due his wife. Ann S. Peterson.

Anna Davisson meured a judgment against her husband, fra H. Davisson, in which he was authorized to pay her \$50 per month temporary alimony.

per month temporary alimony.
Orders were made in other cases as follows: John Berger vs. Rose Berger, centinued for two weeks: Mary M. Erekson vs. Peter Erekson, continued for one week; Elizabeth Tew vs. Roscoe M. Tew, continued for one week.

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variety of leather and built on honor for comfort and service. If your dealer cannot supply you, write us. We'll learn why and advise where you can get them. F. P. KIRKENDALL & CO., OMAHA, NEB.

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This is the last call of our remarkable sale which has put a fine instrument in many a home -away below regular figuresand will do the same for many more today. Will your home be on the list? Prices down to the last notch—Qualities as high as ever. Take time by the forelock and come in today.

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CARONER BANKS STORENEWS THE WELL DRESSED BOY



To get nice looking Clothes is easy-nice looking when you buy them. But to get Clothes that will look nice for a considerable length of time is a very different task, as any mother of a boy well knows.

When you get a Gardner Suit you get one that looks nobby and the goods that it is made of is the strongest that can be put into clothing.

All prices, from \$2.50 to \$13.50.

A host of articles desirable as Gifts are now on display.



